

## Schena, Cristeen

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**From:** Handler, Neil  
**Sent:** Thursday, March 03, 2016 2:34 PM  
**To:** Schena, Cristeen  
**Cc:** Kopf, Jeff  
**Subject:** FW: Chang Farms - November DMR  
**Attachments:** dmrSubmission\_Jan2016.pdf

**Categories:** EZ Record - Shared

Cris,

As discussed here is the January 2016 DMR which Kevin Cassidy requested.

Thanks,

Neil

**From:** Kevin Cassidy [mailto:cassidy@lclark.edu]  
**Sent:** Wednesday, February 24, 2016 8:57 AM  
**To:** Handler, Neil <Handler.Neil@epa.gov>  
**Cc:** Kopf, Jeff <Kopf.Jeff@epa.gov>  
**Subject:** Re: Chang Farms - November DMR

Good morning Neil,

Pursuant to our earlier FOIA request, can you send me Chang Farms' January DMR? Thanks.

Best regards,

Kevin

On Wed, Jan 20, 2016 at 1:05 PM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

As requested and pursuant to your original FOIA request I am providing you with a copy of the December 2015 DMR submitted by Chang Farms.

Thanks,

Neil Handler

Senior Enforcement Coordinator

EPA Region 1

5 Post Office Square, Suite 100 (OES04-4)

Boston, MA 02109-3912

[\(617\) 918-1334](tel:6179181334)

[handler.neil@epa.gov](mailto:handler.neil@epa.gov)

**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]

**Sent:** Friday, January 15, 2016 2:08 PM

**To:** Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>

**Cc:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>

**Subject:** Re: Chang Farms - November DMR

Thank you, Neil.

Pursuant to our earlier FOIA request, can you send me Chang Farms' December DMR? I believe it is due today. Thanks.

Best regards,

Kevin

On Tue, Jan 12, 2016 at 8:27 AM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

I did not find a response to your email/FOIA request update in December so the problem may have been at my end.

As requested (and pursuant to your earlier FOIA request) I am enclosing a copy of the DMR for Chang Farms for the November 2015 monitoring period. We have not yet received the DMR for the December 2015 monitoring period.

Thanks,

Neil Handler

Senior Enforcement Coordinator

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**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]

**Sent:** Friday, January 08, 2016 3:24 PM

**To:** Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>

**Cc:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>

**Subject:** Re: Chang Farms

Hi Neil/Jeff -

Happy New Year to you both. I can't seem to find an answer in my inbox to my email below. If you've already sent the November DMR, my apologies, but can you resend? This all may have gotten swept up in the holidays. If they've submitted their December DMR early, can you please send that as well? Thanks.

Best,

Kevin

On Thu, Dec 17, 2015 at 9:57 AM, Kevin Cassidy <[cassidy@lclark.edu](mailto:cassidy@lclark.edu)> wrote:

Neil/Jeff,

Can you please email me Chang Farms DMR for November pursuant to my earlier FOIA requests regarding this facility?

thank you. I hope you both have a good holiday.

Best,

Kevin

On Mon, Nov 23, 2015 at 8:54 AM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

As requested (and pursuant to your earlier FOIA request) I am enclosing a copy of the DMR for Chang Farms for the October 2015 monitoring period.

Have a good thanksgiving as well.

Thanks,

Neil Handler

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[handler.neil@epa.gov](mailto:handler.neil@epa.gov)

**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]  
**Sent:** Monday, November 23, 2015 7:05 AM  
**To:** Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>  
**Cc:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>  
**Subject:** Re: Chang Farms

Neil/Jeff,

Can you please email me Chang Farms DMR for October pursuant to my earlier FOIA requests regarding this facility?

thank you. I hope you both have a good Thanksgiving.

Best,

Kevin

On Fri, Oct 16, 2015 at 1:29 PM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

As requested, here is a copy of the September 2015 DMR for Chang Farms per you earlier FOIA request.

Thanks,

Neil Handler

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**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]

**Sent:** Thursday, October 15, 2015 10:47 AM

**To:** Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>

**Cc:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>

**Subject:** Re: Chang Farms

Neil,

Thank you for your earlier answer to my question. Can you please email me Chang Farms DMR for September (assuming they have electronically filed that by their due date today) pursuant to my earlier FOIA requests regarding this facility?

thank you.

Best,

Kevin

On Tue, Sep 22, 2015 at 2:16 PM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

No, the facility is not required to submit the sampling date(s) with their DMRs. Municipal WWTF are required to submit backup information to the state of MA (typically referred to Monthly Operating Reports or MORs) which

would likely include the sampling date, but I don't believe there is a similar requirement by the state for industrial facilities.

Neil

**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]  
**Sent:** Tuesday, September 22, 2015 10:23 AM  
**To:** Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>  
**Cc:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>  
**Subject:** Re: Chang Farms

Thank you, Neil. Quick question, is there a way to tell the exact date the samples were taken? It's not jumping out at me from the DMR.

Best regards,

Kevin

On Tue, Sep 22, 2015 at 10:07 AM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

Pursuant to your earlier FOIA request we are providing you with a copy of the August 2015 DMR submitted by Chang Farms.

Thanks,

Neil Handler

Senior Enforcement Coordinator

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[handler.neil@epa.gov](mailto:handler.neil@epa.gov)

**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]

**Sent:** Tuesday, September 22, 2015 9:16 AM

**To:** Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>

**Cc:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>

**Subject:** Re: Chang Farms

Neil/Jeff -

Can one of you please email me Chang Farms DMR for August (assuming they have electronically filed that by now) pursuant to my earlier FOIA requests regarding this facility?

thank you.

Best,

Kevin

On Tue, Sep 8, 2015 at 1:10 PM, Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)> wrote:

Kevin,

As requested here is a copy of the 2015 Nitrogen Loading Report prepared on behalf of Chang Farms.

Thanks,



Neil Handler

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**From:** Kevin Cassidy [mailto:[cassidy@lclark.edu](mailto:cassidy@lclark.edu)]

**Sent:** Tuesday, August 25, 2015 10:09 AM

**To:** Kopf, Jeff

**Cc:** Handler, Neil

**Subject:** Chang Farms

Hi Jeff,

Hope you've been having a good summer. Just a heads up, attached is a copy of a complaint I filed last week on behalf of Connecticut River Watershed Council against Chang Farms, alleging CWA violations. I'm putting a copy in the mail to the RA today.

I had two questions I wondered if someone at EPA could assist with:

1. In Chang Farms' 2014 permit, fn 10 on page 5 of 12, it states:

The baseline loading monthly average limit for total nitrogen (TKN plus nitrate + nitrite), 12.4 lbs/day, will take effect 1 year from the effective date of the Final Permit, in conjunction with the requirements of the Nutrient Evaluation and Minimization Program, described in Parts D.1.a.i., and ii. below.

That limit should have kicked in earlier this year, I believe in March. But I don't see it on any of the post-March 2015 DMRs. I see nitrate concentration monitoring data but no quantity/loading data. Is Chang Farms reporting it separately? Are they reporting it at all? I have reason to believe that they are exceeding this limit so I'm trying to determine where this data is.

2. Can someone send me the DMR for July 2015?

Thank you. Let me know if there is anything further you need from me.

Best regards,

Kevin

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Kevin Cassidy, Senior Staff Attorney / Earthrise Law Center / Lewis & Clark Law School

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